S.B.CRIMINAL MISC. BAIL APPLICATION NO.3257/2006

Date : 17.08.2006

HON'BLE MR. SATYA PRAKASH PATHAK, J.

Mr. Varun Gupta for the applicant.
Mr. Vishnu Kachhawaha, Public Prosecutor for State.
Mr. Sandeep Mehta for complainant.

I have heard learned counsel for the applicant as well as the learned Public Prosecutor for the State and carefully gone through the impugned order.

The allegations against the accused applicant are that sale of the plot has been made without there being legal ownership vested with the applicant. The matter is pending investigation. The contention of learned counsel for the applicant is that infact the applicant had purchased the plot and he was having title in relation to the plot in question.

On the other hand, learned Public Prosecutor and learned counsel for the complainant have opposed the bail application and submitted that prima facie it cannot be said that allegations are false.

Having considered the submissions made before me, without expressing any opinion on the merit of the case and taking into consideration the overall facts and circumstances of the present case, I do not find it to be a fit case to extend benefit of anticipatory bail to the applicant. Accordingly, the bail application moved under by the applicant under Section 438 Cr.P.C. is rejected.

(SATYA PRAKASH PATHAK), J.

vijayant